

08/28/03
14202 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

19704 U.S. PTO
10/649951
08/28/03

CKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	ANTICIPATED EXAMINER	ART UNIT
70003.0002USD1			Paul J. Killos	1625

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a **divisional** application under 37 CFR § 1.53(b) of Application No. 09/829,827, filed on April 10, 2001, which is based on provisional application no. 60/261,738 filed January 16, 2001 entitled SYMMETRICALLY DISUBSTITUTED AROMATIC COMPOUNDS AND PHARMACEUTICAL COMPOSITIONS FOR INHIBITING POLY(ADP-RIBOSE) GLYCOHYDROLASE, AND METHODS FOR THEIR USE by the following inventor(s):

Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Li	Jia-He	
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Full Name Of Inventor	Family Name	First Given Name	Second Given Name
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Full Name Of Inventor	Family Name	First Given Name	Second Given Name
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Full Name Of Inventor	Family Name	First Given Name	Second Given Name
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Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Xing	Amy	D.
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Full Name Of Inventor	Family Name Xu	First Given Name Weizheng	Second Given Name
Residence & Citizenship	City Ellicott City	State or Foreign Country Maryland	Country of Citizenship Chinese
Post Office Address	Post Office Address 3646 Grosvenor Drive	City Ellicott City	State & Zip Code/Country Maryland 21042

1. ☒ Enclosed is a copy of the prior application; including the specification, claims, and a signed oath or declaration. The continuing application is as follows: 68 pages of specification, 118 claims, 1 page of abstract, 0 sheets of drawings, and 4 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☒ Cancel original claims 1-46 and 61-118 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) Claims 47-60 are pending.
3. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS:				
14 -20	0	x	\$18.00	0.00
INDEPENDENT CLAIMS				
2 -3	0	x	\$84.00	0.00
			BASIC FILING FEE:	\$750.00
			SUBTOTAL FILING FEE:	750.00
Divided by ½ for Small Entity			-	375.00
			TOTAL FILING FEE:	\$375.00

- ☒ Small entity status is claimed pursuant to 37 CFR 1.27.
4. ☒ Payment of fees:
 - ☐ Attached is a check in the amount of
 - ☒ Please charge Deposit Account No. 13-2725 in the amount of \$375.00. A duplicate copy of the Transmittal Sheet is provided for this purpose.
 5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
 6. ☒ Amend the specification by inserting before the first line the sentence:

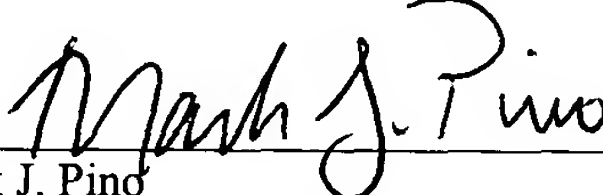
"This application is a divisional of application Serial No. 09/829,827, filed April 10, 2001, which claims benefit of provisional application no. 60/261,738 filed January 16, 2001, which application(s) are incorporated herein by reference."
 7. ☐ A set of formal drawings (sheets) is enclosed.
 8. ☒ Priority of application Serial No. 60/261,738, filed on January 16, 2001, is claimed under 35 U.S.C. 119.

- ☐ The certified copy has been filed in prior application Serial No. , filed .
9. ☒ The prior application is assigned of record to Guilford Pharmaceuticals, Inc. located at 6611 Tributary Street, Baltimore, Maryland 21224.
10. ☒ The Power of Attorney in the prior application is to:
- Merchant & Gould P.C.
Minneapolis, MN 55402-2215
11. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☐ Fee for excess claims is attached.
12. ☐ A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.
13. ☒ Patent Term Adjustment in the prior application has been extended for 134 days. A copy of the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) from the prior application is attached.
14. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
15. ☐ A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
16. ☒ Also Enclosed: Copy of Recorded Assignment from parent application
17. ☒ Address all future communications to the **Attention of Merchant & Gould** (may only be completed by attorney or agent of record) at the address below.
18. ☒ A return postcard is enclosed.

Date:

8/24/03

Respectfully submitted,


Mark J. Pino

Registration No. 43,858

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
202-625-8382

Customer No. 29700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jia-He LI	Expected Examiner:	P. Killos
Serial No.:	TBA	Expected Group Art Unit:	1625
Filed:	August 28, 2003	Docket:	70003.0002USD1
Title:	SYMMETRICALLY DISUBSTITUTED AROMATIC COMPOUNDS AND PHARMACEUTICAL COMPOSITIONS FOR INHIBITING POLY(ADP-RIBOSE) GLYCOHYDROLASE, AND METHODS FOR THEIR USE		

TRANSMITTAL SHEET

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet (in duplicate)
- ☒ Request for Divisional Application Under 37 C.F.R. §1.53(b)
- ☒ The application is as follows: 68 pages of specification, 118 claims, 1 page of abstract, 0 sheets of drawings, and Oath or declaration from parent application (4 pages).
- ☒ Copy of Determination of Patent Term Adjustment under 35 U.S.C. 154(b) from parent application
- ☒ Copy of Recorded Assignment from parent application
- ☒ Return postcard

The Commission is authorized to charge Deposit Account No. 13-2725 in the amount of \$375.00 (basic filing fee (utility - small entity)). A duplicate of this sheet is enclosed for this purpose. The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.

Date:

8/28/03

By:

Name: Mark J. Pino

Registration No.: 43,858

MERCHANT & GOULD P.C.
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